

### **REMARKS**

Previously, claims 1-20 were pending. After applicant has reviewed the office action from the examiner, the claims have been amended. In this office action, claims 1, 2, 5, 6, 9, 10, 11, 15, 18, and 20 are amended, claims 3, 7, 8, 12, 16, 17 and 19 are cancelled, and claims 4, 13, and 14 remain the same.

First, the applicant regards the present invention as a handheld receiver that receives and tracks signals from a transmitter concealed upon a child. With the unfortunate prevalence of child abductions, parents seek ways to track their children, including when a child is taken abruptly. In an abduction, the abductors are aware of tracking devices and will likely remove bracelets, key tags, and the like from abducted children. The present invention provides a transmitter in a waterproof pouch that blends into the skin color of a child. Further, the pouch can be placed upon the back of a child where an abductor may overlook it. The transmitter remains in place and broadcasts its location for prompt rescue of the child.

Second, the patent to Castellon, No. 5,714,932, shows a radio operated security system with a central control unit and a plurality of portable transmitters. The central control unit appears suitable for a desk or table and has a cradle to receive a portable transmitter for charging. The control unit has a telephone like twelve digit keypad, small display, speaker, and large display. The large display indicates range and bearing to a transmitter. The portable transmitters are bracelet type that emits a constant signal until the bracelet is severed. Upon severing, a reserve signal is emitted for tracking of the final location of the bracelet.

Regarding claims 1 and 11, though the '932 patent shows a receiver, that receiver is not handheld as in the present invention. The receiver of the '932 patent has two pairs of antennae for directional and range finding while the present invention performs those functions with a single antenna. The bracelet of the '932 patent can be seen and removed by an abductor. The transmitter in a pouch concealed on a child delays an abductor from removing the transmitter

from a child. Claim 1 has been amended to specify the location of the transmitter and pouch as upon a child and concealed, and the receiver as handheld.

The patent to Haner, No. 6,396,403 shows a child monitoring system using two transmitters including a bracelet and a transmitter for video and audio affixed to clothing. The bracelet can be removed by an abductor as previously described. The '403 patent has an alternate embodiment where the video transmitter is replaced with a GPS receiver, shown as a tie tack or other attachment to clothing.

In contrast, the present invention sends its signal for detection and retransmission by a satellite from the transmitter attached to the body of a child. The transmitter of the present invention sends a radio signal that does not interfere with the bodily functions of a child. As the transmitter of the present invention adheres to a child, the transmitter can not be removed when an abductor removes the clothing of an abducted child.

Third, regarding claim 3, the '932 patent uses its paired antennae as radio direction finders for line of sight radio transmissions from transmitters. In contrast, the present invention determines the short range distance and direction to a transmitter through its scanner. The '403 patent mentions a GPS receiver to obtain the location of a second transmitting assembly. In contrast, the present invention has a scanner that can receive both radio transmissions and GPS coordinates simultaneously.

Fourth, regarding claims 4 and 13, the '932 patent displays information upon two screens, one 24 above the number pad and a second 16 that shows direction and distance on a radial scale. In contrast, the present invention displays directory information and location information upon a single screen.

Fifth, regarding claims 5, 9, 14 and 18, the '932 patent identifies each monitored transmitter with a binary code. The present invention however, identifies transmitters by non-binary codes which reduces the load on the microprocessor to translate a binary code into a transmitter identification. The

present invention provides the opportunity to use other codes, for instance hexadecimal, to identify transmitters.

Sixth, regarding claim 20, the '932 patent teaches of using a radio transmitter in a latched bracelet upon an object that signals a receiver for radio directional finding. The '932 patent has a receiver that operates at short range, generally line of sight between a transmitter and a receiver.

In contrast, the present invention has a transmitter placed into a pouch that is then adhered in a concealed location upon a child, such as the small of the back. The bracelet of the '932 patent can be seen and removed readily by an abductor unlike the present invention. The present invention provides bearing and range to the transmitter by displaying them numerically upon a screen. The display 16 of the '932 patent portrays range and bearing to a transmitter upon a radial scope. The range and bearing are then determined graphically knowing the scale of the display, shown as 120 feet. A user has to calculate the range and distance in the '932 patent while the present invention displays them.

Seventh, regarding claim 2, the patent to Giel et al, No. 5,881,377 teaches of a radio telephone with a flip down cover. The cover also contains a microphone to collect the user's speech for transmission. Applicant asserts that it would not be obvious to apply a microphone bearing cover from cell phones to the art of radio based locating devices for children. The present invention does not allow for two way voice communication as encouraged by the microphone in the cover of the '377 patent.

Eighth, regarding claims 6 and 15, the '932 patent teaches of some alarm features of the present invention but not all. The patent to Mohr, No. 6,127,931 teaches of a person monitor with a vibratory alarm, among others, that uses a homing signal. The '931 patent has alarms that sound or vibrate when a transmitter exceeds a predetermined distance, upwards of sixty feet in FIG. 2. Further, the '931 patent appears to have a single transmitter in communication with a base unit. In contrast, the present invention has visual, audible, and vibratory alarms in the same unit and a range greater than sixty feet.

Ninth, regarding claims 7 and 16, claims 7 and 16 have been cancelled and their subject matter incorporated in to claims 6 and 15 respectively.

Tenth, regarding claim 10, the patent to Crabtree, No. 6,788,199 discloses a locator for articles. Examiner asserts that the '199 patent shows a waterproof housing for a transmitter made small enough for ready attachment to a variety of objects. In contrast, the present invention has a transmitter placed and sealed into a waterproof pouch and placed upon a child. The pouch of the present invention has adhesive to keep the pouch in place similar to a long duration medicinal patch, e.g. for smoking cessation. The pouch also serves to keep the transmitter dry for usage. The transmitter of the present invention may not be waterproof itself unlike that in the '199 patent. Applicant asserts that a flexible waterproof pouch differs from a rigid housing.

Eleventh, regarding claim 19, claim 19 has been cancelled and its subject matter incorporated into claim 11.

Thus, obviousness cannot be established by combining teachings of the prior art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting that combination. See the cases of *Ex parte Beuther*, 71 USPQ2 1313, (Bd. Pat. App. & Int. 2003) and *In re Geiger*, 815 F2d. 686 (Fed. Cir. 1987).

All of the claims now active in this application are believed to be in condition for examination. Favorable action by the examiner is respectfully requested.

Respectfully Submitted,



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